

# UNITED STATES BANKRUPTCY APPELLATE PANEL *for the Eighth Circuit*

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## STATISTICAL REPORT

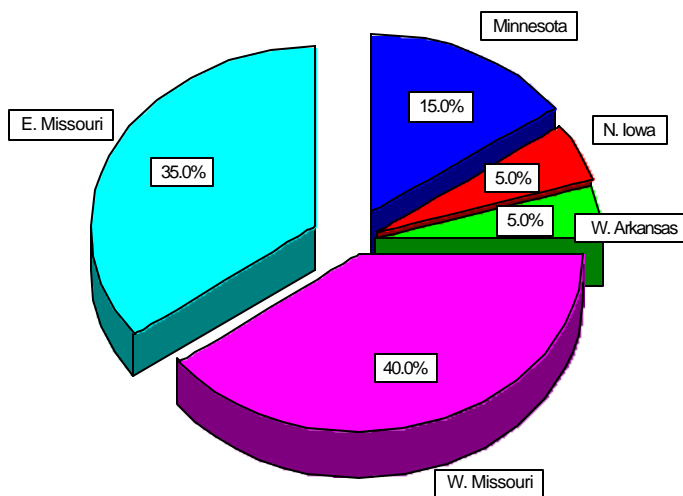
**JANUARY 1, 2001 thru March 31, 2001**

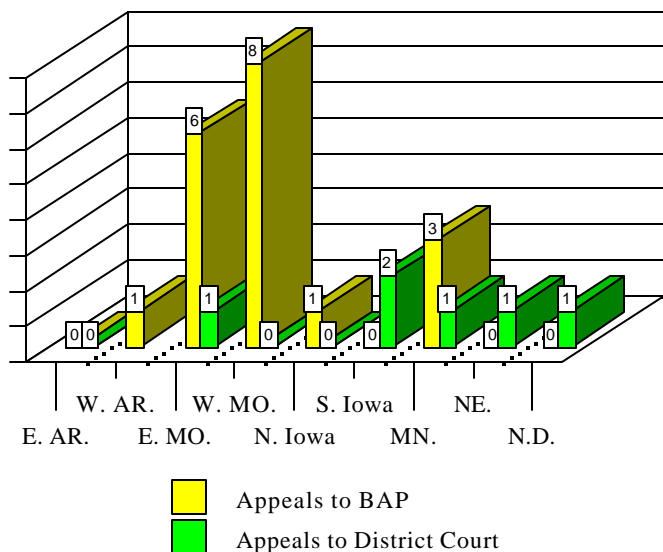
### New Case Filings

Twenty cases were docketed in the first three months of 2001. Seven of these cases (35%) were filed by pro se litigants. Of the cases filed, ten were appeals from contested matters and ten were appeals from adversary proceedings. The graphics below illustrate the breakdown of case origin by district.

**New Cases**

Eastern Arkansas	0
Western Arkansas	1
Northern Iowa	1
Southern Iowa	0
Minnesota	3
Eastern Missouri	7
Western Missouri	8
Nebraska	0
North Dakota	0
<b>TOTAL</b>	<b>20</b>





## District Court Elections

The chart to the left compares the number of appeals taken to the Bankruptcy Appellate Panel with those taken to the District Courts. In the first quarter of 2001, twenty-five appeals were taken from the Bankruptcy Courts. Nineteen of those cases (76%) were appealed to and remained with the Bankruptcy Appellate Panel; six of the cases (24%) were appealed directly to or were transferred to the District Courts.<sup>1</sup>

## Case Processing Time

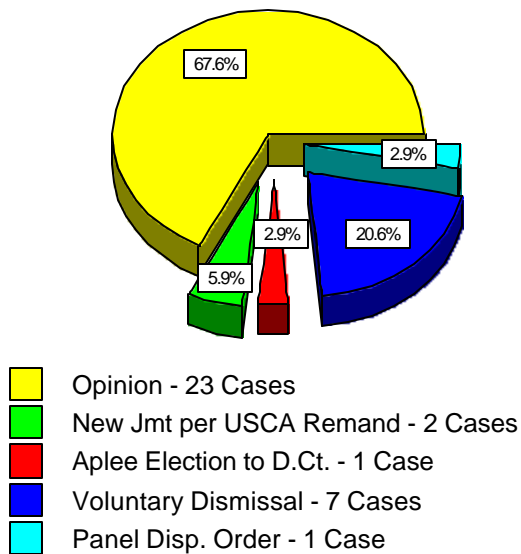
Listed in the table below are average processing times calculated for cases submitted on the merits which were subsequently closed between January 1, 2001 and March 31, 2001.

Interval:	1	2	3	Total Processing Time
From:	Docketing	Aplee's Brief	Submission	
To:	Aplee's Brief	Submission	Disposition	
Cases Submitted w/Arg.	66 days 2.2 months	83 days 2.7 months	45 days 1.4 months	194 days 6.3 months
Cases Submitted w/o Arg.	106 days 3.4 months	33 days 1.1 months	33 days 1.1 months	172 days 5.6 months
All Cases	79 days 2.6 months	67 days 2.2 months	41 days 1.3 months	187 days 6.1 months

<sup>1</sup>These figures do not include appeals taken to the U.S. District Court for the Western District of Arkansas.

## Panel Referrals

In the first quarter of 2001, four matters were referred to Administrative Panels. In addition, one matter was referred back to a previous panel, resulting in a total of five Administrative Panel referrals. Four cases were submitted on the merits without oral argument and fifteen cases were submitted on the merits after oral argument. Hearings were held in St. Paul, Omaha, Cedar Rapids, Fargo and St. Louis.

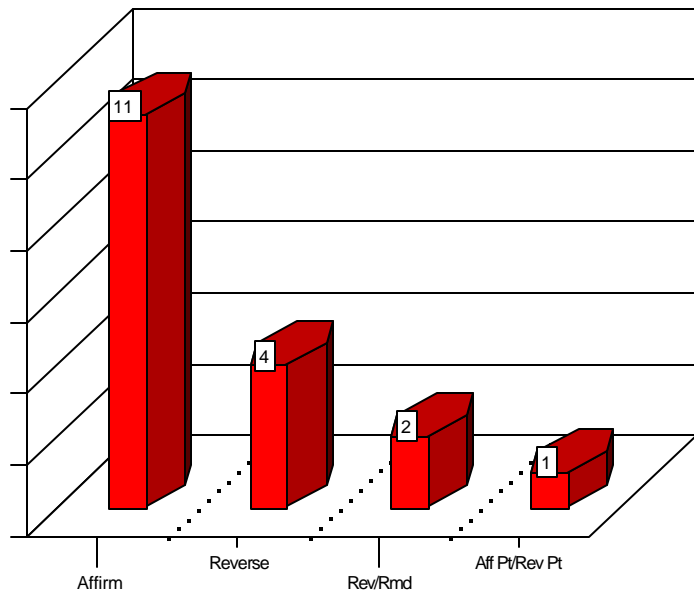


## Case Dispositions

Thirty-two cases were closed in the first three months of 2001. In addition, two previously-closed cases were re-opened and a dispositive order was entered pursuant to a remand order from the 8<sup>th</sup> Circuit Court. The Panel wrote a total of eighteen opinions which disposed of twenty-three cases. To the left is a breakdown of the method by which each case was closed.

## Opinion Breakdown

The chart to the right breaks down each dispositive opinion by its outcome. As shown in the chart, 61% of the opinions affirmed the Bankruptcy Court decision.



## Judge Statistics

In the first quarter of 2001, the Panel issued a total of eighteen dispositive opinions and two dispositive orders. In addition, eight non-dispositive opinions and orders were entered at the direction of the Panel. A breakdown by judge of all opinions and orders issued by the Panel is shown in the following table.

Judge	Dispositive Opinions				Dispositive Orders	Non-Dispositive Opinions & Orders
	Signed	Per Curiam	Dissent	Concurs.		
<b>Koger</b>	3					2
<b>Kressel</b>	4	1			2	1
<b>Hill</b>	2					2
<b>Schermer</b>	3					1
<b>Scott</b>	2					1
<b>Dreher</b>	2					1
<b>Venters*</b>	1					
<b>Total</b>	<b>17</b>	<b>1</b>			<b>2</b>	<b>8</b>

\*Indicates Bankruptcy Court Judge sitting by designation.

## Appeals to the U.S. Court of Appeals

Five notices of appeal were taken to the Court of Appeals from the Bankruptcy Appellate Panel in the first quarter of 2001. In addition, twelve cases were pending before the Court of Appeals at the beginning of the year. Five cases were closed by the Court of Appeals during the last three months, leaving a total of twelve pending cases. Following is a breakdown of the method by which BAP cases appealed to the Court of Appeals were closed:

Affirmed .....	2
Voluntarily Dismissed .....	1
Affirmed & Remanded .....	2